

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.  
★ SEP 6 2019 ★  
BROOKLYN OFFICE

----- X  
SHERWIN WILSON,

Plaintiff,

– against –

CITY OF NEW YORK, *et al.*,

Defendants.  
----- X

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

18-CV-07301-AMD-LB

ANN M. DONNELLY, United States District Judge:

On December 21, 2018, the plaintiff, Sherwin Wilson, commenced this action against the City of New York, the New York Police Department, and multiple named and unnamed police officers. (ECF No. 1.) The plaintiff requested leave to amend his complaint on May 20, 2019 (ECF No. 20), and filed his proposed amended complaint about a week later (ECF No. 22). The proposed amended complaint added factual allegations and sought to add an additional defendant, Dominick Martinez-Nunez. (*Id.*)

On July 11, 2019, United States Magistrate Judge Lois Bloom issued a Report and Recommendation in which she recommended that the Court grant the plaintiff leave to amend to supplement his factual allegations but deny leave to amend to add Mr. Martinez-Nunez as a defendant. (ECF No. 27.) No objections have been filed to the Report and Recommendation, and the time for doing so has passed.<sup>1</sup>

---

<sup>1</sup> On July 22, 2019, the plaintiff moved for an extension of time to respond to the Report and Recommendation. (ECF No. 28.) The Court granted the motion and directed the parties to file written objections, if any, to the Report and Recommendation by August 26, 2019. On August 22, 2019, the plaintiff filed an affirmation with the Court stating that he had no objections. (ECF No. 29.)

In reviewing a Report and Recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Where, as here, no party has objected to the magistrate judge’s recommendation, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

I have carefully reviewed Judge Bloom’s well-reasoned Report and Recommendation for clear error and find that there is none. Accordingly, I adopt the Report and Recommendation in its entirety. The plaintiff is directed to serve and file an amended complaint in accordance with this order by October 3, 2019.

**SO ORDERED.**

s/Ann M. Donnelly  
\_\_\_\_\_  
Ann M. Donnelly  
United States District Judge

Dated: Brooklyn, New York  
September 5, 2019